IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH

WEDNESDAY, THE 21ST MARCH 2007 / 30TH PHALGUNA 1928

OP. No. 7148 of 2002(A)

PETITIONER:

THE MADAKKIMALA SERVICE CO-OP. BANK LTD. NO.F. 490, POST MADAKKIMALA, WAYANAD, REP. BY ITS PRESIDENT, M.D.VENKITASUBRAMANIAM, S/O. M.A. DHARMARAJA IYER, MADAKKIMALA POST, KALPETTA VIA, WAYANAD DISTRICT.

BY ADV. SRI. P.N. MOHANAN

RESPONDENTS:

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1. **JOINT REGISTRAR OF CO-OPERATIVE SOCIETIES, WAYANAD, KALPETTA POST.**

2. **I.P. SURESH, AGED 42, S/O. CHANDRU KURUP, PRESIDENT, KOTTATHARA SERVICE CO-OPERATIVE BANK LTD. W 235 KOTTATHARA P.O. KALPETTA VIA, WAYANAD.**

BY GOVERNMENT PLEADER SRI. MANOJ
SRI. P.V. MOHANAN

THIS ORIGINAL PETITION HAVING BEEN FINALLY HEARD ON 21/03/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

OP. No. 7148 of 2002(A)

Order on C.M.P. No. 12671/2002 in O.P. No. 7148/2002

Dismissed.

21.03.2007 **Sd/- KURIAN JOSEPH, JUDGE.**

A P P E N D I X

PETITIONER'S EXHIBITS:

EXT. P1	**:**	**COPY OF THE NOTICE NO. 3761/96/0 DATED 23/08/1997 ISSUED BY RESPONDENT.**
EXT. P2	**:**	**COPY OF THE AMENDMENT APPROVED BY THE RESPONDENT ON 28.10.1998 ISSUED BY THE RESPONDENT.**
EXT. P3	**:**	**COPY OF THE ORDER NO. 3077/2000/0 DATED 17/4/2001 ISSUED BY THE PETITIONER.**
EXT. P4	**:**	**COPY OF THE REVIEW ORDER DATED 17/04/2001 REQUESTED THE RESPONDENT.**
EXT. P5	**:**	**COPY OF THE RESOLUTION DATED 04/11/2001 ISSUED BY THE RESPONDENT.**

// TRUE COPY //

P.A. TO JUDGE.

smp

KURIAN JOSEPH, J.

O.P. NO. 7148 OF 2002

Dated this the 21st day of March, 2007.

J U D G M E N T

The petitioner is essentially aggrieved by Exhibit P3 order passed by the respondent-Joint Registrar of Co-operative Societies. Since there is a statutory remedy to file an appeal under Section 83 of the Kerala Cooperative Societies Act, this original petition is disposed of as follows.

2. In the event of the petitioner filing an appeal within a period of two months from today, Government shall consider the same with notice to the petitioner and additional second respondent and appropriate orders in accordance with law will be passed within a period of another four months. The status quo as on today pertaining to the interim order passed on 15.03.2002 will continue till such time.

This original petition is disposed of.

KURIAN JOSEPH, JUDGE.

smp